

9

Express Mail Label No. EL121366101US

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United

JUL -20 99 (FRI) 10:30

DEPARTMENT #01

1.004

07/20/99 TUE 12:48 FAX

6

KLARQUIST SPA

004

AWB:hls 7/20/99 6161-63148Dapt&POA.doc

Express Mail Label No. EL121368101US

States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

✓ Full Name of Sole or first Inventor: Brian J. Staskewicz

Inventor's Signature

Brian J. Staskewicz

7/23/99
Date

Residence: Castro Valley, California

Citizenship: USA

Post Office Address: 18945 Marciel Court, Castro Valley, California 94546

✓ Full Name of Second Joint Inventor, if any: Douglas Dahlbeck

Inventor's Signature

Douglas Dahlbeck

7/23/99
Date

Residence: Castro Valley, California

Citizenship: USA

Post Office Address: 18861 Lenrowe Court, Castro Valley, CA 94546

003649860
F0430" 08949860

AWB:hla 7/20/99 5151-53146Decl&POA.doc

Express Mail Label No. EL121366101US

✓ Full Name of Third Joint Inventor, if any: Thomas H. Tai

Inventor's Signature

Thomas H. Tai

7-20-99
Date

Residence: Stuttgart, Arkansas

Citizenship: USA

Post Office Address: 905 S. Vine St., #5, Stuttgart, Arkansas 72160

09864680-05401
F07250"08279860

07/20/99 TUE 14:20 FAX 2 09

KLARQUIST SPARK

002

AWB:hla 07/20/99 5151-53146SmallEntity.doc

Express Mail Label No. EL121366101US

Applicant or Patentee: Staskawicz et al. Matter No. 5151-53146
 Serial or Patent No.: new Filed or Issued: filed herewith
 For: Bs2 RESISTANCE GENE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS (37 CFR §1.9(f) AND §1.27(d))—NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below

NAME OF ORGANIZATION The Regents of the University of California
 ADDRESS OF ORGANIZATION 111 Franklin St., 12th Floor
Oakland, California 94607-5200

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)
☐ Nonprofit scientific or education under statute of state of the United States of America
 Name of state _____ Citation of statute _____
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3) if located in the United States of America
☐ Would qualify as Nonprofit scientific or education under statute of state of the United States of America if located in the United States of America
 Name of state _____ Citation of statute _____

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR §1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled
Bs2 RESISTANCE GENE

By inventor(s) Brian J. Staskawicz, Douglas Dahlback, and Thomas H. Tai

Described In: ☒ The Specification Filed Herewith.
☐ Application No. _____ Filed _____
☐ Patent No. _____ Issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR §1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR §1.8(d), or a nonprofit organization under 37 CFR §1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

FULL NAME _____
 ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

F02450-0899350

JUL-20-99 TUE 14:17

DEKALET OIL

FMA NO. 00424300

F. 03

07/20/99 TUE 14:21 FAX 226 94

KLARQUIST SPARK

003

AWB:hla 07/20/99 5151-531468smallEntity.doc

Express Mail Label No. EL121366101US

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING William A. HoskinsTITLE IN ORGANIZATION Director of Office of Technology LicensingADDRESS OF PERSON SIGNING 2150 Shattuck Avenue, Suite 510, Berkeley, CA 94720-1620

SIGNATURE _____

DATE July 29 1999

09864630-052404